

"Columbus Brand Cotton Seed Meal 100 Lbs. Net Weight. Guaranteed Analysis Protein (minimum) 36.00% \* \* \* Manufactured for Dan Joseph Company, Columbus, Ga."

Misbranding of the article was alleged in the libel for the reason that the statements on the packages, "Guaranteed Analysis Protein 36.00% Ammonia 7.00% One Hundred Lbs. Net Weight," were false and misleading and deceived and misled the purchaser in that the said article contained a less quantity of protein and ammonia, and for the further reason that it was offered for sale under the distinctive name of another article.

On January 30, 1929, the Planters Oil Co., Albany, Ga., claimant, having admitted the allegations of the libel and having executed a bond in the sum of \$800, conditioned that the product would not be resold in violation of the law, a decree was entered by the court approving the said bond and ordering that the product be released to the claimant.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16803. Misbranding of Flavonut. U. S. v. Ed. S. Vail Butterine Co. Plea of guilty. Fine, \$100. (F. & D. No. 23714. I. S. No. 22001-x.)**

On March 9, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ed. S. Vail Butterine Co., a corporation, trading at Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act as amended, on or about February 21, 1928, from the State of Illinois into the State of Colorado, of a quantity of Flavonut which was misbranded. The article was labeled in part: "One Pound Net Flavonut \* \* \* A Nut Product \* \* \* Ed. S. Vail Butterine Co., Chicago, Ill."

It was alleged in the information that the article was misbranded in that the statement, to wit, "One Pound Net," borne on the packages containing the article, was false and misleading in that the said statements represented that the packages each contained 1 pound net of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said packages each contained 1 pound net of the article, whereas they did not, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 8, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture*.

**16804. Adulteration of butter. U. S. v. 24 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24031. I. S. No. 010247. S. No. 2235.)**

On August 6, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 tubs of butter at Chicago, Ill., alleging that the article had been shipped by the Bruce Creamery Co., from Bruce, S. Dak., July 27, 1929, and transported from the State of South Dakota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that excessive water had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, in that a valuable constituent, to wit, butterfat, had been in part abstracted from the said article, and in that it contained less than 80 per cent of butterfat.

On September 6, 1929, Gallagher Bros., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be reprocessed so as to remove the excess water and raise the butterfat content to not less than 80 per cent.

ARTHUR M. HYDE, *Secretary of Agriculture*.